Attorney Docket No.: 152701-00982045) 93

JC20 Rec'd PCT/PTO 01 AUG 2005

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Jordan Magat

In re application of:

Yednock et al.

Application No.: Unassigned

Filed: July 29, 2005

For: ACTIVE IMMUNIZATION TO GENERATE ANTIBODIES TO

SOLUBLE A-BETA

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of non U.S. Patent references 1-578 can be found in Application No. 10/771,174, filed February 2, 2004 (Attorney Docket No. 15270J-009810US). Copies of references 579-580 and 585-587 are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicant also cites commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98 issued as U.S. 6,787,523 on 09/07/04; 09/497,553 filed 02/03/00;



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09/724,477 filed 11/28/00 issued as U.S. 6,787,143 on 09/07/04;
09/723,927 filed 11/28/00 issued as U.S. 6,787,138 on 09/07/04;
09/723,762 filed 11/28/00 issued as U.S. 6,787,144 on 09/07/04;
09/724,102 filed 11/28/00 issued as U.S. 6,787,139 on 09/07/04;
09/724,489 filed 11/28/00 issued as U.S. 6,787,140 on 09/07/04;
10/816,022 filed 03/31/04 issued as U.S. 6,866,850 on 03/15/05;
10/816,529 filed 03/31/04 issued as U.S. 6,818,218 on 11/16/04;
10/815,391 filed 03/31/04 issued as U.S. 6,866,849 on 03/15/05;
10/934,818 filed 09/02/04;
10/934,609 filed 09/02/04 issue fee paid 01/24/05;
10/933,559 filed 09/02/04 issue fee paid 01/24/05;
10/934,819 filed 09/02/04;
10/815,353 filed 03/31/04 issued as U.S. 6,808,712 on 10/26/04;
10/816,380 filed 03/31/04 issue fee paid 01/24/05;
10/815,404 filed 03/31/04 issue fee paid 11/12/04;
09/322,289 filed 05/28/99;
09/723,713 filed 11/27/00;
09/723,760 filed 11/27/00;
09/724,319 filed 11/27/00;
09/723,384 filed 11/27/00 issued as U.S. 6,710,226 on 03/23/04;
09/724,495 filed 11/27/00;
10/788,666 filed 02/27/04;
10/429,216 filed 05/30/03;
10/828,548 filed 04/19/04;
10/923,471 filed 08/20/04;
10/923,474 filed 08/20/04;
10/928,926 filed 08/27/04;
10/923,605 filed 08/20/04;
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10/923,267 filed 08/20/04;

10/923,469 filed 08/20/04;

Seubert et al Application No.: Una Page 3

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09/580,015 filed 05/26/00;
09/724,940 filed 11/28/00 issue fee paid 11/12/04;
09/724,961 filed 11/28/00 issued as U.S. 6,743,427 on 06/01/04;
09/580,018 filed 05/26/00 issued as U.S. 6,761,888 on 07/13/04;
09/724,552 filed 11/28/00 issued as U.S. 6,750,324 on 06/15/04;
09/723,544 filed 11/28/00;
09/724,273 filed 11/28/00;
09/724,551 filed 11/28/00 issued as U.S. 6,787,637 on 09/07/04;
09/724,288 filed 11/28/00;
10/777,792 filed 02/11/04;
10/890,024 filed 04/12/04;
10/889,999 filed 04/12/04;
10/890,000 filed 07/12/04;
10/890,070 filed 07/12/04;
10/890,071 filed 07/12/04;
09/580,019 filed 05/26/00;
09/723,765 filed 11/28/00;
09/724,291 filed 11/28/00;
10/822,968 filed 04/12/04;
09/724,929 filed 11/28/00;
09/724,567 filed 11/28/00 issued as U.S. 6,890,535 on 05/10/05;
09/724,575 filed 11/28/00;
09/724,953 filed 11/28/00 issued as U.S. 6,875,434 on 04/05/05;
09/724,570 filed 11/28/00 issue fee paid 02/10/05;
09/585,656 filed 06/01/00;
09/723,766 filed 11/27/00;
09/723,725 filed 11/27/00;
09/579,690 filed 05/26/00;
09/979,701 filed 03/13/01 (U.S. Nat'l Stage of PCT/US00/14810 filed 05/26/00);
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Seubert et al Application No.: Una Page 4

09/979,952 filed 04/09/02 (U.S. Nat'l Stage of PCT/US00/15239 filed 06/01/00); issued as U.S. 6,913,745 on 07/05/05; and,

09/980,568 filed 03/12/02 (U.S. Nat'l Stage of PCT/US00/15302 filed 06/01/00).

Applicant also cites the following copending applications directed to related subject matter but subject to different assignment:

```
10/010,942 filed 12/06/01;
10/789,273 filed 02/27/04;
10/232,030 filed 08/30/02;
10/010,942 filed 12/06/01;
10/388,389 filed 03/12/03;
10/703,713 filed 11/07/03;
10/704,070 filed 11/07/03;
10/388,214 filed 03/12/03;
10/858,855 filed 06/01/04;
10/771,174 filed 02/04/04.
60/622,525 filed 10/26/04;
60/636,684 filed 12/15/04;
60/636,842 filed 12/15/04;
60/637,253 filed 12/16/04;
60/636,810 filed 12/15/04;
60/637,138 filed 12/16/04;
60/636,776 filed 12/15/04;
60/636,687 filed 12/15/04.
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Applicant further cites the following commonly owned abandoned applications directed to related subject matter:

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60/067,740 filed 12/02/97;
60/080,970 filed 04/07/98;
60/067,219 filed 12/03/97;
60/079,697 filed 03/27/98;
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09/204,838 filed 12/03/98;
09/724,921 filed 11/28/00;
09/724,929 filed 11/28/00;
60/137,010 filed 06/01/99;
60/251,892 filed 12/06/00;
60/137,047 filed 06/01/99;
60/136,655 filed 05/28/99; and
09/723,544 filed 11/28/00.
```

Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

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60/251,892 filed 12/06/00;
60/474,654 filed 05/30/03;
60/530,481 filed 12/17/03;
60/444,150 filed 02/01/03; and,
60/363,751 filed 03/12/02.
```

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

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60/067,219 filed 12/03/97;
60/079,697 filed 03/27/98;
09/204,838 filed 12/03/98;
09/724,921 filed 11/28/00; and,
09/724,929 filed 11/28/00.
```

Applicant understands the Examiner can access papers from the prosecution of the cited cases electronically via PALM. However, if the Examiner has difficulty obtaining papers from that source he or she is invited to call the undersigned who will be happy to supply them.

"'Grant Application; Raso, Immunology of Alzheimer's Disease', 1/1998," cited by the Examiner in Application No. 09/579,690, is cited herewith as cite no. 304. Application No. 09/579,690 is a commonly owned copending application directed to subject matter related to the instant application. Applicant believes "1/1998" is not the publication date as alleged by the

10/544093

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Examiner, but refers to the grant funding cycle. Applicant's further believe the date of public accessibility, if any, is unknown. Applicant wishes to bring to the Examiner's attention that a copy of a grant application believed to have been submitted by Victor Raso for NIH Grant 1 R43 AGI 5746-01 on August 29, 1997 is cited as cite no. 144. Cite no. 144 is a redacted version of cite no. 304. Applicant obtained cite no. 144 under the Freedom of Information Act (FOIA). It is believed that the grant proposal would not have been accessible under FOIA before April 2, 1998, but the exact date of public accessibility, if any, is not known to Applicant.

The Assignee of the instant application is a licensee of U.S. Patent No. 5,688,651, which is directed in part to subject matter related to the instant application. U.S. Patent No. 5,688,651 is now undergoing examination reissue as Application No. 09/441,140. U.S. Patent No. 5,688,651 and U.S. Application No. 09/441,140 are submitted herewith as Cite Nos. 16 and 283, respectively.

As provided for by 37 CFR §1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that <u>no fee is required</u> for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Rosemarie L. Celli Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 650-326-2422

RLC:crf 60549301 v1

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U.S. Patent and Tracemark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO Complete_if Known Unassigned **Application Number** INFORMATION DISCLOSURE July 29, 2005 Filing Date STATEMENT BY APPLICANT First Named Inventor Seubert Art Unit Unassigned (use as many sheets as necessary) Examiner Name Unassigned 15270J-009820US Sheet Attorney Docket Number

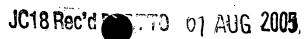
		Document Number	U.S. PATENT DO			
Examiner	Cite No. ¹	Number Kind Code ² (if known)	Publication Da	ite	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
·	578	6,875,434	04-05-2005		Schenk	
	577	6,866,849	03-15-2005		Schenk	
	575	6,866,850	03-15-2005		Schenk	
	583	2004/0265919 A1	12-30-2004		Vanderstichlele et al.	
	581	2004/0247612 A1	12-09-2004		Wang	
	582	2004/0241164 A1	12-02-2004		Bales et al.	
	576	6,818,218	11-16-2004		Schenk	
	563	6,787,637	. 09-07-2004		Schenk et al.	
	572	6,761,888	07-13-2004		Schenk	
	562	6,750,324	06-15-2004		Schenk et al.	
	573	6,743,427	06-01-2004		Schenk	_
	442	6,713,450 B2	03-30-2004		Frangione et al.	
	444	2004/0043418 A1	03-04-2004		Holtzman et al.	
	415	2003/0166558 A1	09-04-2003		Frangione et al.	
	431	2003/0165496 A1	09-04-2003		Basi et al.	
	544	2003/0147882 A1	08-07-2003		Solomon et al.	
·	432	6,562,341 B2	05-13-2003		Prusiner et al.	
	360	2003/0073655 A1	04-17-2003		Chain	
	370	2003/0068325 A1	04-10-2003		Wang	
	440	2003/0068316 A1	04-10-2003		Klein et al.	
	378	2002/0197258 A1	12-26-2002		Ghanbari et al.	
	366	2002/0187157 A1	12-12-2002		Jensen et al.	
	377	2002/0168377 A1	11-14-2002		Schaetzl	
	340	2002/0162129 A1	10-31-2002		Lannfelt	
	395	2002/0160394 A1	10-31-2002		Wu	
	326	2002/0136718 A1	09-26-2002		Raso	
	379	2002/0132268 A1	09-19-2002		Chang et al.	
	365	2002/0133001 A1	09-19-2002		Gefter et al.	
	325	2002/0102261 A1	08-01-2002		Raso	
	362	2002/0094335 A1	07-18-2002		Chalifour et al.	
	306	6,417,178 B1	07-09-2002		Klunk et al.	
-	376	2002/0086847 A1	07-04-2002		Chain	<u> </u>
Examiner Signature				Date Conside	red	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231





PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitut	te for form 1449A/PTC)			Complete if Known	
				Application Number	Unassi ne 44 U 9 2	
INFO	DRMATION	DIS	CLOSURE	Filing Date	July 29, 2005	
STA	TEMENT B'	ΥΑ	PPLICANT	First Named Inventor	Seubert	
				Art Unit	Unassigned	
	(use as many she	ets as	necessary)	Examiner Name	Unassigned	
Sheet	2	of	32	Attorney Docket Number	15270J-009820US	

	345	2002/0077288 A1	06-20-2002	Frangione	
	405	6,399,314 B1	06-04-2002	Krishnamurthy	
	453	2002/0058267 A1	05-16-2002	Ozenberger et al.	
	342	2002/0009445 A1	01-24-2002	Du et al.	
	511	6,331,440	12-18-2001	Nordstedt, et al.	
	416	6,303,567 B1	10-16-2001	Findeis et al.	
	267	6,294,171 B2	09-25-2001	McMichael	
	381	2001/0021769 A1	09-13-2001	Prusiner	
	401	6,284,533 B1	09-04-2001	Thomas	
	234	6,284,221 B1	09-04-2001	Schenk, et al.	
	300	2001/0018053 A1	08-30-2001	McMichael	-
	516	6,261,569	07-17-2001	Comis et al.	
	230	6,262,335 B1	07-17-2001	Hsiao et al.	
	452	6,218,506 B1	04-17-2001	Krafft et al.	
	196	6,150,091	11-21-2000	Pandolfo et al.	
ŕ	231	6,114,133	09-05-2000	Seubert et al.	
	1	6,057,367	05-02-2000	Stamler et al.	
	510	6,022,859	02-08-2000	Kiessling, et al.	
	221	5,989,566	11-23-1999	Cobb et al.	
	417	5,985,242	11-16-1999	Findeis et al.	
	2	5,958,883	⁷ 09-28-1999	Snow	
	3	5,955,317	09-21-1999	Suzuki et al.	
	4	5,955,079	09-21-1999	Mond et al.	
	346	5,935,927	08-10-1999	Vitek et al.	
	512	5,891,991	04-06-1999	Wasco et al.	
	5	5,877,399	03-02-1999	Hsiao et al.	
	6	5,869,093	02-09-1999	Weiner et al.	
, , , ,	7	5,869,054	02-09-1999	Weiner et al.	
	445	5,854,215	12-29-1998	Findeis et al.	
	8	5,854,204	12-29-1998	Findeis et al.	
	9	5,851,996	12-22-1998	Kline	
	10	5,849,298	12-15-1998	Weiner et al.	
	382	5,846,533	12-08-1998	Prusiner	
	321	5,837,672	11-17-1998	Schenk et al.	
	11	5,837,473	11-17-1998	Maggio et al.	

Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

JC18 Rec's POWTO 0 1 AUG 2005

Ap.

PTO/SB/08A (10-01) for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitut	e for form 1449A/PTO)		Complete if Known			
				Application Number	Unassigned 5 44 1 95		
INFO	PRMATION	DIS	CLOSURE	Filing Date	July 29, 2005		
STA	TEMENT B'	Y A	PPLICANT	First Named Inventor	Seubert		
				Art Unit	Unassigned		
	(use as many she	ets as	necessary)	Examiner Name	Unassigned		
Sheet	3	of	32	Attorney Docket Number	15270J-009820US		

	353	5,824,322	10-20-1998	Balasubramanian	
	446	5,817,626	10-06-1998	Findeis et al.	
	12	5,786,180	07-28-1998	Konig et al.	
	207	5,780,587	07-14-1998	Potter	
,	357	5,776,468 B1	07-07-1998	Hauser et al.	
	451	5,766,846	06-16-1998	Schlossmacher et al.	
Ì	13	5,753,624	05-19-1998	McMichael et al.	
	380	5,750,361	05-12-1998	Prusiner et al.	
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	211	5,736,142	04-07-1998	Sette et al.	
	15	5,733,547	03-31-1998	Weiner et al.	
	373	5,721,130	02-24-1998	Seubert et al.	
	16	5,688,651	11-18-1997	Solomon	
	17	5,679,348	10-21-1997	Nesburn et al.	
	515	5,652,334	07-29-1997	Roberts	
	18	5,645,820	07-08-1997	Hafler et al.	
	19	5,641,474	06-24-1997	Hafler et al.	
	20	5,641,473	06-24-1997	Hafler et al.	
	356	5,622,701	04-22-1997	Berg	
	21	5,612,486	03-18-1997	McConlogue et al.	
	22	5,605,811	02-25-1997	Seubert et al.	
	320	5,593,846	01-14-1997	Schenk et al.	
	584	5,589,154	12-31-1996	Anderson	
	23	5,585,100	12-17-1996	Mond et al.	
	358	5,583,112 B2	12-10-1996	Kensil et al.	
	574	5,576,184	11-19-1996	Better et al.	·
	24	5,571,500	11-05-1996	Hafler et al.	
	25	5,571,499	11-05-1996	Hafler et al.	
	513	5,514,548	05-07-1996	Krebber et al.	
	514	5,470,951	11-28-1995	Roberts	
	403	5,464,823	11-07-1995	Lehrer et al.	
	175	5,441,870	08-15-1995	Seubert, et al.	
	26	5,434,170	07-18-1995	Andrulis, Jr.	
	27	5,387,742	02-07-1995	Cordell	
					

Examiner Signature	Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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JC18 Rec'd PCT/PTO O1 AUG 2003

Appro

PTO/SB/08A (10-01) or use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number Substitute for form 1449A/PTO **Application Number** INFORMATION DISCLOSURE **Filing Date** July 29, 2005 STATEMENT BY APPLICANT **First Named Inventor** Seubert Art Unit Unassigned

Examiner Name

(use as many sheets as necessary)

Unassigned of 32 15270J-009820US Sheet Attorney Docket Number

543	5,278,049	01-11-1994	Baker et al.	
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34	4,666,829	05-19-1987	Glenner et al.	

			U.S. PATENT APPLIC	ATIONS	
		Document Number			
Examiner	Cite No.1	Number Kind Code ² (if known)	Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	296	60/254,465	12-08-2000	Holtzman et al.	
	297	60/254,498	12-08-2000	Holtzman et al.	
•	305	09/724,842	11-28-2000	Chalifour et al.	
	299	60/186,295	03-01-2000	Rasmussen et al.	
	295	60/184,601	02-24-2000	Holtzman et al.	
	282	60/169,687	12-08-1999	Chain	
	242	60/168,594	11-29-1999	Chalifour et al.	
	283	09/441,140	11-16-1999	Solomon et al.	

•			F	DREIGN PA	TENT DOCUM	ENTS		
Examiner	Cite	Foreign Patent Document		nt	Publication	Name of Patentee or	Pages, Columns, Lines,	
Initials*	No.1	Country Code ³	Number⁴	Kind Code ⁵ (if known)	Date MM-DD- YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	т⁰
	533	AU	199870091		07-01-1999			
,	343	EP	1 172 378	A1	01-16-2002			
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Substitute for form 1449A/PTO Unassigned b **Application Number** INFORMATION DISCLOSURE July 29, 2005 **Filing Date** STATEMENT BY APPLICANT **First Named Inventor** Seubert Art Unit Unassigned (use as many sheets as necessary) **Examiner Name** Unassigned Sheet 32 15270J-009820US Attorney Docket Number

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			Application Number	Unassigned/5/4/1003	
INFO	INFORMATION DISCLOSURE		Filing Date	July 29, 2005	
STA	STATEMENT BY APPLICANT			First Named Inventor	Seubert
				Art Unit	Unassigned
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Sheet	6	of	32	Attorney Docket Number	15270J-009820US

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INFORMATION DISCLOSURE				Application Number	144UY2		
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STAT	STATEMENT BY APPLICANT			First Named Inventor	Seubert		
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Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
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Substitute for form 1449B/PTO Complete if Known **Application Number** dnassigned INFORMATION DISCLOSURE Half 20 2005 Filing Date STATEMENT BY APPLICANT **First Named Inventor** Seubert Art Unit Unassigned (use as many sheets as necessary) **Examiner Name** Unassigned 15270J-009820US Sheet 10 of 32 Attorney Docket Number

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				CLOSURE	Filing Date	July 29, 2005
•	STAT	TEMENT	BYA	PPLICANT	First Named Inventor	Seubert
					Art Unit	Unassigned
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known **Application Number** Unassigned# **Filing Date** July 29, 2005 **First Named Inventor** Seubert Art Unit Unassigned **Examiner Name** Unassigned

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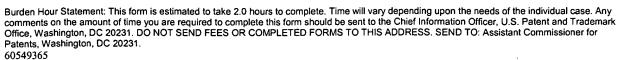
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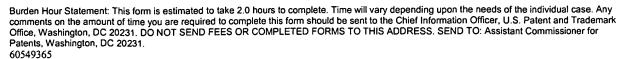
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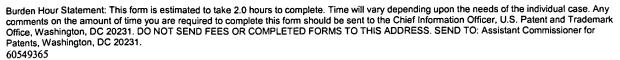
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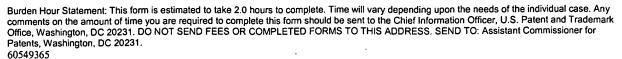
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